

**UNITED STATES DISTRICT COURT****Northern District of California**

Board of Trustees of the Cement

07-02842 BZ

Masons Health &amp; We,

**NOTICE RE: NONCOMPLIANCE  
WITH COURT ORDER**

Plaintiff(s),

v.

Neil Jackson Construction Inc.,

Defendant(s).

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov).)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax

1 (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,  
2 450 Golden Gate Avenue, 16<sup>th</sup> Floor, San Francisco, California), or by PDF attachment  
3 to an e-mail directed to [adr@cand.uscourts.gov](mailto:adr@cand.uscourts.gov).

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5 It is the responsibility of counsel to schedule an ADR Phone Conference, if  
6 required, to occur before the Case Management Conference.

7

8

9 Dated: September 5, 2007

10 RICHARD W. WIEKING  
11 Clerk  
12 by: Timothy J. Smagacz



13 ADR Administrative Assistant  
14 415-522-4205  
15 Tim\_Smagacz@cand.uscourts.gov

**PROOF OF SERVICE**

Case Name: Board of Trustees of the Cement Masons Health & We v. Neil Jackson Construction Inc.

Case Number: 07-02842 BZ

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program  
United States District Court  
Northern District of California  
450 Golden Gate Avenue Floor 16  
San Francisco, CA 94102

On September 5, 2007, I served a true and correct copy of:

**Notice Re: Noncompliance With Court Order**

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Joye Blanscett  
Bullivant Houser Bailey PC  
601 California Street, Suite 1800  
San Francisco, CA 94108-2823  
joye.blanscett@bullivant.com

Ronald Lee Richman  
Bullivant Houser Bailey PC  
601 California Street, Ste. 1800  
San Francisco, CA 94108  
ron.richman@bullivant.com

James Edward Ganzer  
Ganzer & Williams  
1617 St. Mark's Plaza, Suite A  
P.O.Box 7683  
Stockton, CA 95207  
jeganzer@aol.com

[ ] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[ ] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on September 5, 2007 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz



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ADR Administrative Assistant

415-522-4205

Tim\_Smagacz@cand.uscourts.gov